

AMENDMENTS TO THE DRAWINGS

A "Replacement Sheet" is attached which includes a clean version of amended FIG. 13. The attached sheet replaces the original sheet including FIGS. 13 and 14.

FIG. 13 has been amended to include "degrees" as the x-axis label and to replace "extraction" with "extraction efficiency" as the y-axis label. FIG. 13 has also been amended to replace the scale on the y-axis with correct numbers (e.g., 10, 20, 30).

REMARKS

Applicant respectfully requests reconsideration. Claims 1-35 were pending in the application. Claims 1, 3, 7, 8, 10, 13, 16 and 31 are being amended. Claims 32 and 35 are being cancelled. Claims 36-39 are being added. No new matter is being added. After this amendment, claims 1-31, 33-34 and 36-39 are pending.

Drawings

Applicant has submitted a "Replacement Sheet" including an amended FIG. 13 to address the objections raised in the Office Action. FIG. 13 has been amended to include "degrees" as the x-axis label and to replace "extraction" with "extraction efficiency" as the y-axis label. FIG. 13 has also been amended to replace the scale on the y-axis with correct numbers (e.g., 10, 20, 30).

Accordingly, Applicant respectfully requests withdrawal of this objection.

Specification

Applicant has amended the abstract to address the objection raised in the Office Action.

Applicant has amended the title to be the same as the title on the oath/declaration.

Applicant has amended the specification to correct the typographical errors identified in the Office Action by changing "tow" to "two" on page 6, lines 8, 17 and 26.

Accordingly, Applicant respectfully requests withdrawal of the objections to the specification.

Claim Objections

The Office Action points out that claims 31 and 32 are identical. Applicant has cancelled claim 32. Accordingly, Applicant respectfully requests withdrawal of the rejection on this ground.

Claim Rejections Under 35 U.S.C. §112

The Office Action states that the term "about" in claims 1, 3, 7, 8, 10, 13, 16, 31, 32 and 35 is a relative term which renders the claim indefinite. Though Applicant respectfully disagrees that one of ordinary skill in the art would not be reasonably apprised of the scope of this claim term as

stated in the Office Action, Applicant has amended the claims to delete the term “about” in order to further prosecution of the application.

Claims 3 and 35 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The Office Action states that the term “features” is not descriptive. Though Applicant does not agree that the term “features” is not sufficiently clear, Applicant has amended claim 3 to replace “features” with “holes” for further clarification, and has cancelled claim 35.

Accordingly, Applicant respectfully requests withdrawal of the claim rejections on this ground.

Rejection of Claims 1, 3-6, 8-20, 22-26, 31-32 and 35

Claims 1, 3-6, 8-20, 22-26, 31-32 and 35 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,784,463 (Camras).¹

Camras fails to teach or suggest a light-emitting device as recited in amended claim 1 which comprises an n-type layer supported by the light-generating region, and a material in contact with the surface of the n-type layer that has an index of a refraction of less than 1.3. In contrast, the n-type layer 114 supported by the light-generating region of Camras (See FIG. 2A) is in contact with bonding layers 126A, 126B and Camras discloses forming layers 126A, 126B from materials having refractive indices greater than about 1.5, and preferably greater than about 1.8. (See Column 7, lines 53-55).

Because Camras fails to teach or suggest each claim limitation, independent claim 1 is patentable in view of Camras. Accordingly, Applicant respectfully requests withdrawal of the rejection on this ground.

Rejection of Claims 2, 27-30 and 33-34

Claims 2, 27-30 and 33-34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Camras in view of U.S. Patent No. 5,779,924 (Krames). Claims 2, 27-30 and 33-34 depend from claim 1 which is patentable over Camras for the reasons noted above. Krames fails to provide

¹ It appears that the rejection in view of Camras should have made under 35 U.S.C. §102(e). Camras issued on August 31, 2004. The present application was filed on November 26, 2003 and claimed priority to a number of provisionals including a provisional filed on April 15, 2003.

the deficiencies of Camras with respect to independent claim 1 and, thus, also claims 2, 27-30 and 33-34. Therefore, for at least this reason, these claims are patentable over the combination of Camras in view of Krames.

Accordingly, Applicant respectfully requests withdrawal of the claim rejections on this ground.

Rejection of Claim 7 Under 35 U.S.C. §103(a)

Claim 7 was rejected under 35 U.S.C. §103(a) as being unpatentable over Camras.

Claim 7 depends from claim 1 which is patentable over Camras for reasons noted above. For at least the reasons that claim 1 is patentable over Camras, claim 7 is also patentable over Camras.

Accordingly, Applicant respectfully requests withdrawal of the claim rejections on this ground.

Rejection of Claim 21 Under 35 U.S.C. §103(a)

Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Camras in view of U.S. Patent Application Publication No. US 2004/0043524 (Huang). Claim 21 depends from claim 1 which is patentable over Camras from reasons noted above. Huang fails to provide the deficiencies of Camras with respect to claim 1 and, thus, also claim 21. Accordingly, for at least this reason, claim 21 is patentable over the combination of Camras in view of Huang.

Accordingly, Applicant respectfully requests withdrawal of the claim rejection on this ground.

New Claims

Claims 36-39 have been added. These claims depend from claim 1. Therefore, the claims are patentable over the cited references for at least the reasons that claim 1 are patentable.

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In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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Attachments